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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 SAMANTHA LOPEZ, et al.,

12 Plaintiff,

13 vs.

14 THE COUNTY OF SAN DIEGO, et al.,

15 Defendant.
16

CASE NO. 07cv2028-JLS (WMc)

**CASE MANAGEMENT
CONFERENCE ORDER
REGULATING DISCOVERY AND
OTHER PRETRIAL
PROCEEDINGS**

17 Pursuant to Rule 16.1 of the Local Rules, a Case Management Conference was held
18 on August 11, 2008. After consulting with the attorneys of record for the parties and being
19 advised of the status of the case, and good cause appearing,

20 **IT IS HEREBY ORDERED:**

21 1. Any motion to join other parties, to amend the pleadings, or to file additional
22 pleadings shall be ***filed*** on or before *September 5, 2008*.

23 2. The parties shall disclose the identity of their respective experts in writing by
24 *October 31, 2008*. The date for the disclosure of the identity of rebuttal experts shall be on or
25 before *November 17, 2008*. The written designations shall include the name, address and
26 telephone number of the expert and a reasonable summary of the testimony the expert is expected
27 to provide. The list shall also include the normal rates the expert charges for deposition and trial
28 testimony. **The parties must identify any person who may be used at trial to present evidence**

1 pursuant to Fed. R. Evid. 702, 703 and 705, respectively. This requirement is not limited to
2 retained experts.

3 3. On or before *December 19, 2008*, each party shall comply with the disclosure
4 provisions in Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. **This disclosure**
5 **requirement applies to all persons retained or specifically employed to provide expert**
6 **testimony or whose duties as an employee of the part regularly involve the giving of expert**
7 **testimony.**

8 4. Any party shall supplement its disclosure regarding contradictory or rebuttal
9 evidence under Rule 26(a)(2)(c) on or before *January 19, 2009*.

10 5. **Please be advised that failure to comply with this section or any other**
11 **discovery order of the court may result in the sanctions provided for in Fed.R.Civ.P.37**
12 **including a prohibition on the introduction of experts or other designated matters in**
13 **evidence.**

14 6. All discovery, including experts, shall be completed by all parties on or before
15 *February 9, 2009*. "Completed" means that all discovery under Rules 30-36 of the Federal Rules
16 of Civil Procedure, and discovery subpoenas under Rule 45, must be initiated a sufficient period of
17 time in advance of the cut-off date, *so that it may be completed* by the cut-off date, taking into
18 account the times for service, notice and response as set forth in the Federal Rules of Civil
19 Procedure. Counsel shall promptly and in good faith meet and confer with regard to all discovery
20 disputes in compliance with Local Rule 26.1(a). All discovery motions shall be filed within 30
21 days after counsel have met and conferred and reached an impasse with regard to any particular
22 discovery issue, but in no event shall discovery motions be filed more than 30 days after the close
23 of discovery.

24 7. A Mandatory Settlement Conference shall be conducted on ***February 11, 2009*** at
25 ***9:30 a.m.*** in the chambers of Magistrate Judge William McCurine, Jr. Counsel shall submit
26 confidential settlement briefs **directly** to chambers no later than *February 11, 2009*. Defendant's
27 brief shall be submitted to chambers and served on all counsel no later than. The briefs shall set
28 forth the party's statement of the case and the party's settlement position, including the last offer or

1 demand made by that party and a separate statement of the offer or demand the party is prepared to
2 make at the Settlement Conference. Settlement Conference briefs shall not exceed ten (10) pages
3 in length, and shall *not* include exhibits or attachments. All parties and claims adjusters for insured
4 defendants and representatives with complete authority to enter into a binding settlement, as well
5 as the principal attorney (s) responsible for the litigation, must be present and legally and factually
6 prepared to discuss and resolve the case at the Mandatory Settlement Conference. **Any special**
7 **arrangements desired in cases where settlement authority rests with a governing body shall**
8 **be proposed in advance.**

9 8. All other pretrial motions must be filed so that they may be heard on or before
10 *March 2, 2009. (In intellectual property cases, this would include claims construction hearings.*
11 Please be advised that counsel for the moving party must obtain a motion hearing date from the
12 law clerk of the judge who will hear the motion. Be further advised that the period of time
13 between the date you request a motion date and the hearing date may vary from one district judge
14 to another. Please plan accordingly. For example, you should contact the judge's law clerk in
15 advance of the motion cut-off to calendar the motion. Failure to make a timely request a motion
16 date may result in the motion not being heard.

17 9. Counsel shall serve on each other and file their Memoranda of Contentions of Fact
18 and Law and take any other action required by Local Rule 16.1(f)(2) on or before *April 9, 2009.*

19 10. Counsel shall comply with the Pre-trial disclosure requirements of Federal Rule of
20 Civil Procedure 26(a)(3) on or before *April 9, 2009.*

21 11. Counsel shall meet and take the action required by Local Rule 16.1 (f) (4) on or
22 before *April 16, 2009.*

23 12. Objections to Pre-trial disclosures shall be filed no later *than April 23, 2009.*

24 13. The Proposed Final Pretrial Conference Order required by Local Rule 16.1 (f) (6)
25 shall be prepared, served, and lodged on or *before April 23, 2009.* The Pretrial Order shall include
26 a summary description of the case that can be read to the jury.

27 14. The final Pretrial Conference is scheduled on the calendar of **Judge Janis**
28 **Sammartino** on *April 30, 2009 at 1:30 p.m..* The trial will be scheduled by Judge Sammartino.

